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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

- v -

INDICTMENT

NIGEL SEVAN SOOBIAH, : SSS 88 Cr. 918 (MJL)
a/k/a "Stefan," :
SERGIO MARANGHI, :
ROCCO LAUNI, :
FABRIZIO TESI, :
VITTORIO ERALDO BARLETTA, :
a/k/a "Eddie," :
MARIO STARACE, :
JOSEPH COOK, :
ANTONIO CASELLA, and :
FRANCO DiBENEDICTIS :

Defendants.

COUNT ONE

The Grand Jury charges:

1. From on or about January 1, 1987 up to and including the date of the filing of this indictment, in the Southern District of New York and elsewhere, NIGEL SEVAN SOOBIAH, a/k/a "Stefan," SERGIO MARANGHI, ROCCO LAUNI, FABRIZIO TESI, VITTORIO ERALDO BARLETTA, a/k/a "Eddie", MARIO STARACE, JOSEPH COOK, ANTONIO CASELLA, and FRANCO DiBENEDICTIS, the defendants, and others to the Grand Jury known and unknown, unlawfully, intentionally and knowingly combined, conspired, confederated and agreed, together and with each other, to violate the federal narcotics laws.

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The Object of the Conspiracy

2. The object of the conspiracy, which was pursued for the purpose of enriching the said defendants and their co-conspirators by illegally trafficking in narcotic drugs, was as follows:

3. It was the object of the conspiracy that the said defendants and their co-conspirators unlawfully, intentionally and knowingly would and did import and attempt to import into the United States a Schedule I narcotic drug controlled substance, to wit, in excess of one kilogram of mixtures and substances containing a detectable amount of heroin, in violation of Sections 802, 812, 951, 952, 960(a)(1), 960(b)(1)(A) and 963 of Title 21, United States Code, and Section 2 of the Title 18, United States Code.

The Means Used by the Defendants
and Their Co-Conspirators To Further
the Object of the Conspiracy

4. The Conspiracy took the form of a joint business venture with members performing different functions and operating at different levels of responsibility.

5. Some members of the conspiracy -- including, among others, NIGEL SEVAN SOOBIAH, SERGIO MARANGHI, ROCCO LAUNI, FABRIZIO TESI, and VITTORIO ERALDO BARLETTA -- coordinated and carried out the transportation of heroin into the United States from places outside the United States.

6. Some members of the conspiracy -- including, among others, NIGEL SEVAN SOOBIAH, SERGIO MARANGHI, ROCCO LAUNI, FABRIZIO TESI, VITTORIO ERALDO BARLETTA, MARIO STARCE, and FRANCO

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DiBENEDICTIS -- functioned as wholesale distributors of large quantities of heroin and developed heroin customers for profit and for the purpose of paying their suppliers.

7. Some members of the conspiracy -- including, among others, VITTORIO ERALDO BARLETTA, JOSEPH COOK, ANTONIO CASELLA, and FRANCO DiBENEDICTIS -- provided security for the storage, movement, importation and distribution of wholesale quantities of heroin and large amounts of United States currency.

8. Some members of the conspiracy -- including, among others, NIGEL SEVAN SOOBIAH, ROCCO LAUNI and FABRIZIO TESI -- operated apparently legitimate businesses as fronts which facilitated the narcotics conspiracy.

Overt Acts

In furtherance of the said conspiracy, and to effect the objects thereof, the following overt acts, among others, were committed in the Southern District of New York and elsewhere.

1. During the month of August, 1987, SERGIO MARANGHI, in San Francisco, California, and a confidential informant working with the Federal Bureau of Investigation ("FBI") had several conversations regarding the sale by MARANGHI of a quantity of heroin to the confidential informant and an undercover agent of the FBI.

2. On or about August 10, 1987, SERGIO MARANGHI, FABRIZIO TESI, and VITTORIO ERALDO BARLETTA, among others, met in New York, New York.

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3. On or about August 14, 1987, SERGIO MARANGHI and FABRIZIO TESI, met with co-conspirator Alfredo Spavento, a/k/a "Tony," in Brooklyn, New York.

4. On or about August 15, 1987, SERGIO MARANGHI met with the confidential informant in the vicinity of Buffalo, New York.

5. On or about September 1, 1987, SERGIO MARANGHI travelled from San Francisco, California to New York, New York.

6. On or about September 2, 1987, SERGIO MARANGHI travelled from New York, New York to Buffalo, New York.

7. On or about September 2, 1987, SERGIO MARANGHI distributed a sample quantity of heroin to the confidential informant and undercover FBI agent.

8. On or about September 2, 1987, SERGIO MARANGHI informed the confidential informant and undercover agent that an associate of MARANGHI's named "ROCCO" would have one-half kilogram of heroin available for sale in New York, New York the following day.

9. On or about September 3, 1987, SERGIO MARANGHI travelled from Buffalo, New York to New York, New York with the confidential informant and undercover agent.

10. On or about September 3, 1987, FABRIZIO TESI and FRANCO DiBENEDICTIS travelled to Newark Airport in New Jersey from R. F. Clothing at 184 Prince Street, New York New York, the place of business of ROCCO LAUNI.

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11. On or about September 3, 1987, FABRIZIO TESI and FRANCO DiBENEDICTIS met SERGIO MARANGHI, the confidential informant, and the undercover agent at Newark Airport in New Jersey.

12. On or about September 3, 1987, SERGIO MARANGHI, FABRIZIO TESI and FRANCO DiBENEDICTIS travelled from Newark Airport in New Jersey to R. F. Clothing, 184 Prince Street, New York, New York.

13. On or about September 3, 1987, at the Vista Hotel, New York, New York, SERGIO MARANGHI, MARIO STARACE and ANTONIO CASELLA counted approximately \$103,500 for the proposed one-half kilogram heroin transaction.

14. On or about September 3, 1987, MARIO STARACE, and JOSEPH COOK proceeded together from the Vista Hotel to the Gramercy Park Hotel in New York, New York.

15. On or about September 3, 1987, SERGIO MARANGHI and FRANCO DiBENEDICTIS met with the undercover agent in a room at the Gramercy Park Hotel, New York, New York.

16. On or about September 3, 1987, ANTONIO CASELLA remained with the confidential informant outside the Gramercy Park Hotel in a vehicle containing the money to be paid for the one-half kilogram heroin transaction.

17. On or about September 3, 1987, at the Gramercy Park Hotel, New York, New York, FRANCO DiBENEDICTIS engaged in a telephone conversation.

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18. On or about September 3, 1987, MARIO STARACE, SERGIO MARANGHI and NIGEL SEVAN SOOBIAH met with the undercover agent in Room 606 at the Gramercy Park Hotel, during which the undercover agent received approximately 501 grams of approximately 74 percent pure heroin.

19. On or about September 3, 1987, JOSEPH COOK stood outside Room 606 at the Gramercy Park Hotel.

20. On or about September 3, 1987, at the Gramercy Park Hotel, NIGEL SEVAN SOOBIAH and JOSEPH COOK engaged in a conversation.

21. On or about September 3, 1987, NIGEL SEVAN SOOBIAH, SERGIO MARANGHI, MARIO STARACE, FRANCO DISBENEDICTIS and ANTONIO CASELLA met in the vicinity of the Gramercy Park Hotel, New York, New York.

22. On or about September 3, 1987, after the exchange of heroin in room 606, MARIO STARACE and JOSEPH COOK met outside the Gramercy Park Hotel.

23. On or about September 23, 1987, NIGEL SEVAN SOOBIAH met with the undercover agent in Los Angeles, California.

24. On or about October 26, 1987, SERGIO MARANGHI, at R. F. Clothing, 184 Prince Street, New York, New York, and the confidential informant engaged in a telephone conversation.

25. On or about October 27, 1987, SERGIO MARANGHI, ROCCO LAUNI, FABRIZIO TESI, and VITTORIO ERALDO BARLETTA distributed a sample quantity of heroin to the undercover agent and confidential informant at R. F. Clothing, 184 Prince Street, New York, New York.

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26. On or about November 9, 1987, FABRIZIO TESI, at R. F. Clothing, 184 Prince Street, New York, New York and the confidential informant engaged in a telephone conversation.

27. On or about November 12, 1987, SERGIO MARANGHI and the confidential informant engaged in a telephone conversation.

28. On or about November 12 and 13, 1987, SERGIO MARANGHI and FABRIZIO TESI met with the confidential informant and undercover agent in the vicinity of Buffalo, New York and distributed to them a sample quantity heroin.

29. On or about November 23, 1987, FABRIZIO TESI, at R. F. Clothing, 184 Prince Street, New York, New York, and the undercover agent engaged in a telephone conversation.

30. On or about November 24, 1987, at R. F. Clothing, 184 Prince Street, New York, New York, ROCCO LAUNI, FABRIZIO TESI, and VITTORIO ERALDO BARLETTA met with the undercover agent and confidential informant.

31. On or about agent 24, 1987, FABRIZIO TESI travelled from R. F. Clothing, 184 Prince Street, New York, New York to the vicinity of Concord Furniture and the Cafe Mille Luci in Brooklyn, New York.

32. On or about November 24, 1987, ROCCO LAUNI, at R. F. Clothing, 184 Prince Street, New York, New York engaged in a telephone conversation relating to the delivery of heroin.

33. On or about November 30, 1987, ROCCO LAUNI and FABRIZIO TESI, at R. F. Clothing, 184 Prince Street, New York, New York, and the confidential informant engaged in a telephone conversation.

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34. In or about December, 1987, ROCCO LAUNI began to operate Rocco Ambrosia boutique, 287 Bleecker Street, New York, New York.

35. On or about December 31, 1987, SERGIO MARANGHI and the confidential informant engaged in a telephone conversation.

36. On or about January 12, 1988, ROCCO LAUNI, at Rocco Ambrosia boutique, 287 Bleecker Street, New York, New York, and the confidential informant engaged in a telephone conversation.

37. On or about January 18, 1988, SERGIO MARANGHI met with the confidential informant and undercover agent in San Francisco, California.

38. On or about February 21, 1988, ROCCO LAUNI, at Rocco Ambrosia boutique, 287 Bleecker Street, New York, New York, and VITTORIO ERALDO BARLETTA engaged in a telephone conversation.

39. On or about March 1, 1988, FABRIZIO TESI, at Rocco Ambrosia boutique, 287 Bleecker Street, New York, New York, and the confidential informant engaged in a telephone conversation.

40. On or about March 2, 1988, ROCCO LAUNI, at Rocco Ambrosia boutique, 287 Bleecker Street, New York, New York, engaged in telephone conversations with the confidential informant.

41. On or about March 2, 1988 ROCCO LAUNI, at Rocco Ambrosia boutique, 287 Bleecker Street, New York, New York, and Salvatore D'Amico, at Concord Furniture, 7203 18th Avenue, Brooklyn, New York, engaged in a telephone conversation.

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42. On or about March 3, 1988, ROCCO LAUNI and FABRIZIO TESI, at Rocco Ambrosia boutique, 287 Bleaker Street, New York, New York, and Salvatore D'Amico, at Concord Furniture, 7203 18th Avenue, Brooklyn, New York, engaged in telephone conversations.

43. On or about March 3, 1988, ROCCO LAUNI and FABRIZIO TESI, at Rocco Ambrosia boutique, 287 Blecker Street, New York, engaged in telephone conversations with the confidential informant.

44. On or about March 3, 1988, ROCCO LAUNI, at Rocco Ambrosia boutique, 287 Blecker Street, New York, New York, and VITTORIO ERALDO BARLETTA engaged in a telephone conversation.

45. On or about March 4, 1988, FABRIZIO TESI, at Rocco Ambrosia boutique, 287 Blecker Street, New York, New York, engaged in a telephone conversation with the undercover agent.

46. On or about March 5, 1988, ROCCO LAUNI and FABRIZIO TESI, at Rocco Ambrosia boutique, 287 Blecker Street, New York, New York, and SERGIO MARANGHI engaged in a telephone conversation.

47. On or about March 7, 1988, FABRIZIO TESI, at Rocco Ambrosia boutique, 287 Blecker Street, New York, New York, and Salvatore D'Amico, at Concord Furniture, 7203 18th Avenue, Brooklyn, New York, engaged in a telephone conversation.

48. On or about March 7, 1988, ROCCO LAUNI, at Rocco Ambrosia boutique, 287 Blecker Street, New York, New York and the confidential informant engaged in a telephone conversation.

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49. On or about March 10, 1988, ROCCO LAUNI, at Rocco Ambrosia boutique, 287 Bleecker Street, New York, New York, and Salvatore D'Amico, at Concord Furniture, 7203 18th Avenue, Brooklyn, New York, engaged in a telephone conversation.

50. On or about March 10, 1988, FABRIZIO TESI, at Rocco Ambrosia boutique, 287 Bleecker Street, New York, New York, and the confidential informant engaged in a telephone conversation.

51. On or about March 10, 1988 FABRIZIO TESI, at Rocco Ambrosia boutique, 287 Bleecker Street, New York, New York and SERGIO MARANGHI engaged in a telephone conversation.

52. On or about March 11, 1988, ROCCO LAUNI, FABRIZIO TESI, and VITTORIO ERALDO BARLETTA met at Rocco Ambrosia boutique, 287 Bleecker Street, New York, New York, with the confidential informant and undercover agent.

53. On or about March 11, 1988, from a public telephone in New York, New York, FABRIZIO TESI and the confidential informant engaged in a telephone conversation with Salvatore D'Amico, who was at Concord Furniture, 7203 18th Avenue, Brooklyn, New York.

54. On or about March 14, 1988, ROCCO LAUNI travelled to Italy.

55. On or about March 14, 1988, FABRIZIO TESI and Salvatore D'Amico engaged in telephone conversations with the confidential informant.

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56. On or about March 15, 1988, FABRIZIO TESI and VITTORIO ERALDO BARLETTA met with the undercover agent and confidential informant in the vicinity of Rocco Ambrosia boutique, 287 Bleeker Street, New York, New York.

57. On or about March 15, 1988, in the vicinity of Rocco Ambrosia boutique, 287 Bleeker Street, New York, New York, FABRIZIO TESI and VITTORIO ERALDO BARLETTA directed the undercover agent and confidential informant to meet with co-conspirators Salvatore Lobuglio and Salvatore D'Amico in Lobuglio's automobile.

58. On or about March 15, 1988, in New York, New York VITTORIO ERALDO BARLETTA and Salvatore Lobuglio had a conversation with the confidential informant.

59. On or about March 15, 1988, in New York, New York, Salvatore D'Amico delivered approximately one-quarter kilogram of approximately 93 percent pure heroin to the undercover agent.

60. On or about March 21, 22, 24, and 25, 1988, Salvatore D'Amico, at Concord Furniture, 7203 18th Avenue, Brooklyn, New York, engaged in telephone conversations with the confidential informant.

61. On or about May 24, 1988, co-conspirators Salvatore D'Amico and Salvatore Lobuglio met with the confidential informant and undercover agent in the vicinity of Buffalo, New York.

(Title 21, United States Code, Section 863).

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COUNT TWO

The Grand Jury further charges:

1. From on or about January 1, 1987 up to and including the date of the filing of this Indictment, in the Southern District of New York and elsewhere, NIGEL SEVAN SOOBIAH, a/k/a "Stefan," SERGIO MARANGHI, ROCCO LAUNI, FABRIZIO TESI, VITTORIO ERALDO BARLETTA, MARIO STARACE, JOSEPH COOK, ANTONIO CASELLA, and FRANCO DiBENEDICTIS, the defendants, and others to the Grand Jury known and unknown, unlawfully, intentionally and knowingly combined, conspired, confederated and agreed together and with each other to violate the federal narcotics laws.

The Object of the Conspiracy

2. The object of the conspiracy, which was pursued for the purpose of enriching the said defendants and their co-conspirators, was as follows:

3. It was the object of the conspiracy that the defendants and their co-conspirators unlawfully, intentionally and knowingly would and did, and attempted to, distribute and possess with intent to distribute, a Schedule I narcotic drug controlled substance, to wit, in excess of one kilogram of mixtures and substances containing a detectable amount of heroin, in violation of Sections 802, 812, 841(a)(1), 841(b)(1)(A)-(C) and 846 of Title 21, United States Code, and Section 2 of Title 18, United States Code.

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The Means Used by the Defendants
and Their Co-Conspirators to Further
the Object of the Conspiracy

4. The methods and means through which the members of the conspiracy pursued their illegal object are set forth in Paragraphs 4 through 8 of Count One of this Indictment, the contents of which are incorporated in Count Two herein and realleged in their entirety.

Overt Acts

In furtherance of the conspiracy, and to effect the objects thereof, Overt Acts 1 through 61, among others, were committed in the Southern District of New York and elsewhere. Overt Acts 1 through 61, which are set forth in Count One of this indictment, are incorporated in Count Two herein and realleged in their entirety.

(Title 21, United States Code, Section 846).

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COUNT THREE

The Grand Jury further charges:

On or about September 3, 1987, in the Southern District of New York, NIGEL SEVAN SOOBIAH, a/k/a "Stefan," SERGIO MARANGHI, ROCCO LAUNI, FABRIZIO TESI, VITTORIO ERALDO BARLETTA, a/k/a "Eddie," MARIO STARACE, FRANCO DIBENEDICTIS, JOSEPH COOK and ANTONIO CASELLA, the defendants, and others to the Grand Jury known and unknown, unlawfully, intentionally and knowingly distributed and possessed with intent to distribute a Schedule I narcotic drug controlled substance, to wit, in excess of 100 grams of mixtures and substances containing a detectable amount of heroin.

(Title 21, United States Code, Sections 802, 812, 841(a)(1) and 841(b)(1)(B), and Title 18, United States Code, Section 2).

COUNT FOUR

The Grand Jury further charges:

On or about October 27, 1988, in the Southern District of New York, SERGIO MARANGHI, ROCCO LAUNI, FABRIZIO TESI and VITTORIO ERALDO BARLETTA, the defendants, and others to the Grand Jury known and unknown, unlawfully, intentionally and knowingly distributed and possessed with intent to distribute a Schedule I narcotic drug controlled substance, to wit, a mixture and substance containing a detectable amount of heroin.

(Title 21, United States Code, Sections 802, 812, 841(a)(1) and 841(b)(1)(C), and Title 18, United States Code, Section 2).

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COUNT FIVE

The Grand Jury further charges:

On or about March 15, 1988, in the Southern District of New York, SERGIO MARANGHI, ROCCO LAUNI, FABRIZIO TESI, and VITTORIO ERALDO BARLETTA, a/k/a "Eddie," the defendants, and others to the Grand Jury known and unknown, unlawfully, intentionally and knowingly distributed and possessed with intent to distribute a Schedule I narcotic drug controlled substance, to wit, in excess of 100 grams of mixtures and substances containing a detectable amount of heroin.

(Title 21, United States Code, Sections 802, 812, 841(a)(1) and 841(b)(1)(B), and Title 18, United States Code, Section 1).

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COUNTS SIX AND SEVEN

The Grand Jury further charges:

On or about the dates set forth below, in the Southern District of New York and elsewhere, the defendants set forth below unlawfully, willfully and knowingly travelled and used facilities in interstate commerce with intent to promote, manage, establish, carry on and facilitate the promotion, management, establishment and carrying on of an unlawful activity, to wit, a business enterprise involving narcotics and controlled substances, and thereafter performed and attempted to perform acts intended to promote, manage, establish and carry on this unlawful activity.

<u>Count</u>	<u>Date</u>	<u>Use of facilities in Interstate Commerce</u>
6	August 10, 1987	SERGIO MARANGHI travelled from San Francisco, California to New York City.
7	September 3, 1987	SERGIO MARANGHI, FABRIZIO TESI and FRANCO DIBENEDICITIS travelled from Newark, New Jersey to New York City.

(Title 18, United States Code, Sections 1952 and 2).

FOREPERSON


OTTO G. OBERMAIER
United States Attorney